

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Wilhelm BARUSCHKE et al.

Title: HEATING, VENTILATING OR AIR-CONDITIONING
SYSTEM

Appl. No.: 10/585,765

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Examiner: George Binh Minh Nguyen

Art Unit: 3744

Confirmation 7818

Number:

INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR §1.56

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Submitted herewith on Form PTO/SB/08 is a listing of documents known to Applicants in order to comply with Applicants' duty of disclosure pursuant to 37 CFR §1.56.

A copy of each non-U.S. patent document and each non-patent document is being submitted to comply with the provisions of 37 CFR §1.97 and §1.98.

The submission of any document herewith, which is not a statutory bar, is not intended as an admission that such document constitutes prior art against the claims of the present application or that such document is considered material to patentability as defined in 37 CFR §1.56(b). Applicants do not waive any rights to take any action which would be appropriate to antedate or otherwise remove as a competent reference any document which is determined to be a *prima facie* art reference against the claims of the present application.

TIMING OF THE DISCLOSURE

The listed documents are being submitted in compliance with 37 CFR §1.97(b), before the mailing date of the first Office Action on the merits.

RELEVANCE OF EACH DOCUMENT

The foregoing documents A1-A3 and A5-A11 came to Applicants' attention during a search of the corresponding German application. The German Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the German Search Report. A copy of the German Search Report setting forth the portion of each reference considered relevant by the examiner is attached.

Documents A2 and A5 belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Documents A3 and A11 belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

The foregoing documents A12 and A16 came to Applicants' attention during a search of the corresponding Japanese application, an Office Action dated June 8, 2010, was received by Applicants. The Japanese Patent Office made certain characterizations of the references. The disclosure of these characterizations should not be construed as an admission of or agreement to the opinions expressed in the Japanese Office Action. A copy of the Japanese Office Action is attached herewith.

Documents A4 and A12 belong to the same "patent family," whereby the English language document may assist the PTO in understanding the content of the non-English language document.

Unless otherwise indicated, no English translation is readily available (not considering machine-generated translations that may be freely available online, to both the Applicant and the PTO) for each of the non-English language documents. However, a commercially available English language abstract is provided herewith, where indicated on the attached Form PTO/SB/08. Inasmuch as Applicants have endeavored to provide at least one item that complies with the requirement for a “concise explanation of relevance” for each of the non-English language documents, each of these documents has been submitted in compliance with the PTO requirements and should be considered by the Examiner (37 CFR §1.97, §1.98 and MPEP §609).

Applicants respectfully request that each listed document be considered by the Examiner and be made of record in the present application and that an initialed copy of Form PTO/SB/08 be returned in accordance with MPEP §609.

Although Applicant believes that no fee is required, the Commissioner is hereby authorized to charge any additional fees which may be due to Deposit Account No. 19-0741.

Respectfully submitted,

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By 

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